

Robert B. Wilson  
Chapter 13 Trustee  
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IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

ANDRES RICARDO ROJAS  
MARIA SALUD ROJAS

CASE NO: 13-70413-HDH-13

HEARING DATE: 8/20/2014

HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Robert B. Wilson, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
014 0 U	ANDRE P DESIRE MD	\$6,202.00	015 0 U	BRADLEY SAMUELSON MD	\$42.40
018 0 U	CAPITAL ONE BANK/BESTBUY	\$746.00	020 0 U	CHASE	\$2,254.00
021 0 U	CHASE	\$1,159.00	027 0 U	CLINICS OF NORTH TEXAS	\$220.00
028 0 U	COLLECTION/FIRST FINANCIAL RESOURCES	\$486.00	029 0 U	COMMUNITY HEALTH CARE CENTER	\$248.45
030 0 U	CREDIT COLLECTION SERVICES	\$486.00	034 0 U	EXECUTIVE SERVICES	\$324.00
035 0 U	EXECUTIVE SERVICES	\$1,057.00	041 0 U	GRACIA DEL ROSARIO MD	\$622.00
042 0 U	KELL WEST FAMILY PRACTICE CLINIC	\$287.19	044 0 U	KOHL'S/CAPONE	\$60.00
045 0 U	LCA COLLECTIONS	\$57.17	046 0 U	MEDICAL BILLING SERVICES	\$697.12
048 0 U	NORTH CENTRAL TEXAS COMMUNITY HEALTH CAR	\$300.00	050 0 U	TITANIUM EMERGENCY GROUP	\$487.00

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0	WELLS FARGO BANK NA	HOME ARREARS THRU 11-2013	\$2,590.51	\$107,477.00	6.90%	59	\$60.35 PAID BY TRUSTEI
009 0	WELLS FARGO BANK NA	DIRECT PMTS BEGIN 12-2013	\$101,778.71	\$107,477.00			PD DIRECT BY DEBTOR
010 0	WICHITA COUNTY	2013 PROPERTY TAXES - 5225 HENRY S GRACE FRWY	\$2,349.10	\$2,349.10			PD DIRECT BY DEBTOR
011 0	NISSAN MOTOR ACCEPTANCE CORP	2012 NISSAN ROGUE	\$25,632.35	\$27,120.00	6.00%	60	\$556.70 PAID BY TRUSTE

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount
013 0 U	TGSLC <i>STUDENT LOAN/WELLS FARGO BANK</i>	\$11,685.77
017 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/CAPITAL ONE</i>	\$1,634.32
023 0 U	ALTAIR OH XIII LLC <i>PURCHASES/CITIBANK</i>	\$3,071.57
025 0 U	CITIBANK NA <i>PURCHASES</i>	\$2,736.71
033 0 U	SOUTHWESTERN BELL TELEPHONE COMPANY <i>SERVICES/AT&amp;T</i>	\$132.46
037 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/GE CAPITAL RETAIL BANK DILLARDS</i>	\$858.84
039 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/WALMART GE CAPITAL RETAIL BANK</i>	\$2,011.15
043 0 U	BECKET & LEE LLP <i>PURCHASES/CAPITAL ONE KOHLS</i>	\$1,215.86
049 0 U	ALTAIR OH XIII LLC <i>PURCHASES/CITIBANK THE CHILDRENS PLACE</i>	\$165.92
055 0 U *	AT&T MOBILITY II LLC <i>SERVICES</i> <i>Not provided for in confirmed plan.</i>	\$487.72
073 0 U *	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/JC PENNEY</i> <i>Not provided for in confirmed plan.</i>	\$462.15

Trustee Clm#	Creditor Name	Claim Amount
016 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/CAPITAL ONE HSBC</i>	\$1,974.42
019 0 U	JEFFERSON CAPITAL SYSTEMS LLC <i>PURCHASES/HSBC FURNITURE ROW</i>	\$3,050.80
024 0 U	ALTAIR OH XIII LLC <i>PURCHASES/CITIBANK</i>	\$632.33
031 0 U	DISCOVER FINANCIAL SERVICES <i>PURCHASES</i>	\$1,071.57
036 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/GEMB DILLARDS</i>	\$738.82
038 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/TJX REWARDS CREDIT CARD</i>	\$619.44
040 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/WALMART</i>	\$578.12
047 0 U	NISSAN MOTOR ACCEPTANCE CORP <i>DEFICIENCY</i>	\$12,127.24
051 0 U	WELLS FARGO BANK NA <i>PURCHASES</i>	\$1,555.46
061 0 U *	WELLS FARGO BANK <i>STUDENT LOAN</i> <i>Not provided for in confirmed plan.</i>	\$10,178.36

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Beginning 12/14/2013 debtor shall make 9 payments of \$675.00. Beginning 9/14/2014 debtor shall make 51 payments of \$688.00 for a total plan contribution of \$41,163.00.

/s/ Marc McBeath

Robert B. Wilson Bar#:21715000  
Chapter 13 Trustee  
Marc McBeath Bar#:13328600  
Staff Attorney

NOTICE OF HEARING AND PRE-HEARING CONFERENCE

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 8/20/2014 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT:

US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Marc McBeath

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Robert B. Wilson Bar#:21715000

Chapter 13 Trustee

Marc McBeath Bar#:13328600

Staff Attorney

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 6/23/2014

/s/ Marc McBeath

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Robert B. Wilson Bar#:21715000  
Chapter 13 Trustee  
Marc McBeath Bar#:13328600  
Staff Attorney

ACS/WELLS FARGO 501 BLEEKER UTICA NY 13501  
ALTAIR OH XIII LLC C/O WEINSTEIN PINSON AND RILEY PS 2001 WESTERN AVENUE STE 400 SEATTLE WA 98121  
ALTAIR OH XIII LLC C/O WEINSTEIN PINSON AND RILEY PS PO BOX 3978 SEATTLE WA 98124  
ANDRE P DESIRE MD 1631 11THS ST WICHITA FALLS TX 76301  
ANDRES RICARDO ROJAS & MARIA SALUD ROJAS 5225 HENRY S GRACE FWY WICHITA FALLS TX 76302  
AT&T MOBILITY II LLC C/O AT&T SERVICES KAREN CAVAGNARO ONE AT&T WAY ROOM 3A104 BEDMINSTER NJ 07921  
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355  
BRADLEY SAMUELSON MD 1004 BROOK STE B WICHITA FALLS TX 76301  
CAP1/FRNRW 26525 N RIVERWOODS BLVD METTAWA IL 60045  
CAPITAL ONE BANK ATTN: BANKRUPTCY DEPT PO BOX 30285 SALT LAKE CITY UT 84130  
CAPITAL ONE BANK/BESTBUY 26525 N RIVERWOODS BLVD METTAWA IL 60045  
CHASE PO BOX 15298 WILMINGTON DE 19850  
CITIBANK NA 701 EAST 60TH STREET NORTH SIOUX FALLS SD 57117  
CITIBANK NA PAYMENT CENTER 4740 121ST STREET URBANDALE IA 50323  
CITIBANK PO BOX 790034 ST LOUIS MO 63179  
CITIBANK SD NA ATTN: CENTRALIZED BANKRUPTCY PO BOX 20363 KANSAS CITY MO 64195  
CITIBANK USA CITICORP CREDIT SERVICES/ATTN: CENTRALIZ PO BOX 20507 KANSAS CITY MO 64195  
CITY OF WF, WFLSD, WICHITA CO C/O HAROLD LEREW PO BOX 8188 WICHITA FALLS TX 76307  
CLINICS OF NORTH TEXAS PO BOX 730852 DALLAS TX 75373  
COLLECTION/FIRST FINANCIAL RESOURCES 209 WEST CENTRAL ST STE 107 NATICK MA 01760  
COMMUNITY HEALTH CARE CENTER PO BOX 720 WICHITA FALLS TX 76307  
CREDIT COLLECTION SERVICES TWO WELLS AVE DEPT 9136 NEWTON CENTER MA 02459  
DISCOVER FIN SVCS LLC PO BOX 15316 WILMINGTON DE 19850  
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054  
EOS CCA 700 LONGWATER DR NORWELL MA 02061  
EXECUTIVE SERVICES PO BOX 2248 WICHITA FALLS TX 76307  
GECRB-DILLARDS BANKRUPTCY DEPARTMENT PO BOX 103104 ROSWELL GA 30076  
GECRB-TJ MAX COS PO BOX 965015 ORLANDO FL 32896  
GEMB/WALMART ATTN: BANKRUPTCY PO BOX 103104 ROSWELL GA 30076  
GRACIA DEL ROSARIO MD 3901 ARMORY RD WICHITA FALLS TX 76302  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD MN 56302  
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 953185 ST LOUIS MO 63195  
JNR ADJUSTMENT COMPANY INC 7001 E FISH LAKE RD SUITE 200 MAPLE GROVE MN 55311  
KELL WEST FAMILY PRACTICE CLINIC 4412 KELL BLVD WEST WICHITA FALLS TX 76309  
KOHLS/CAPONE N56 W 17000 RIDGEWOOD DR MENOMONEE FALLS WI 53051  
LCA COLLECTIONS PO BOX 2240 BURLINGTON NC 27216  
MEDICAL BILLING SERVICES 1200 AUSTIN ST PO BOX 2285 WICHITA FALLS TX 76307  
NISSAN MOTOR ACCEPTANC PO BOX 660360 DALLAS TX 75266  
NISSAN MOTOR ACCEPTANCE CORP PO BOX 660366 DALLAS TX 75266  
NORTH CENTRAL TEXAS COMMUNITY HEALTH CAR 200 MARTIN LUTHER KING JR BLVD WICHITA FALLS TX 76301  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
SALLIE MAE INC ATTN: BANKRUPTCY LITIGATION UNIT E3149 PO BOX 9430 WILKES-BARRE PA 18773  
SOUTHWESTERN BELL TELEPHONE COMPANY %AT&T SERV KAREN A CAVAGANARO ONE AT&T WAY ROOM 3A104 BEDMINSTER NJ 07921  
TGSCL PO BOX 659602 SAN ANTONIO TX 78265  
TGSCL PO BOX 83100 ROUND ROCK TX 78683  
THE CHILDRENS PLACE PO BOX 790394 SAINT LOUIS MO 63179  
TITANIUM EMERGENCY GROUP PO BOX 3407 EMERGENCY ROOM PHYSICIANS WICHITA FALLS TX 76301  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELLS FARGO BANK C/O NW EDUCATION LOAN ASSOC DEPOSIT OPER PO BOX 7167 INDIANAPOLIS IN 46207  
WELLS FARGO BANK NA ATTN: BANKRUPTCY DEPT MAC#D3347-014 3476 STATEVIEW BLVD FORT MILLS SC 29715  
WELLS FARGO BANK NA ONE HOME CAMPUS BK PMTS PROC MAC #X2302-04C DES MOINES IA 50328  
WELLS FARGO BANK NA PO BOX 829009 DALLAS TX 75382  
WELLS FARGO BANK NA WELLS FARGO CARD SERVICES PO BOX 9210 DES MOINES IA 50306  
WELLS FARGO BANK NA/WELLS FARGO HOME MTG ATTN: BANKRUPTCY DEPT MAC X7801-014 3476 STATEVIEW BLVD FORT MILL SC 29715  
WELLS FARGO BANK WELLS FARGO CARD SERVICES 1 HOME CAMPUS 3RD FLOOR DES MOINES IA 50328  
WELLS FARGO CARD SER 1 HOME CAMPUS 3RD FLOOR DES MOINES IA 50328  
WELLS FARGO HM MORTGAGE 8480 STAGECOACH CIR FREDERICK MD 21701  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307